

IN THE HIGH COURT OF JUDICATURE AT PATNA

Civil Writ Jurisdiction Case No.18888 of 2011

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Jagdeo Ram Son of Sri Jalim Ram Resident of Village-Amahara, P.S.-
Raghunathpur, P.O.-Nikhti Kala, District-Siwan.

.... Petitioner

Versus

1. The State of Bihar through the Principal Secretary, Rural Development Department, Bihar, Patna.
2. The District Magistrate, Siwan.
3. The Deputy Development Commissioner, Siwan.
4. The District Certificate Officer, Siwan.
5. District Sub-Divisional Officer, Siwan Sadar, Siwan.
6. The Block Development Officer, Raghunathpur, District-Siwan.

.... Respondents

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Appearance :

For the Petitioner : Mr. RANJEET KUMAR, ADVOCATE
Mr. KUNDAN KUAMR, ADVOCATE
For the Respondents : Mr. AWDHESH KUMAR PANDEY GA9

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL JUDGMENT

Date: 05-04-2016

Heard learned counsel for the petitioner and learned counsel for the Respondents.

2. The present writ petition has been filed for quashing the notice dated 06.09.2011 issued by the Certificate Officer, Siwan in Certificate Case No. 52 of 2011-12 for recovery of the certificate amount of Rs. 3,10,990/-; as well as order dated 24.09.2011 passed by the Sub-divisional Officer, Siwan directing the petitioner to show cause as to why his licence of PDS dealership be not cancelled due to non-payment of Rs. 3,10,990/- under Sampurna Gramin Rojgar Yojna for which a certificate proceeding is pending against the petitioner.

3. At the very outset, learned counsel for the

petitioner invites attention to the judgment of this Court dated 21.09.2015 passed in CWJC No. 5638 of 2011 (Raiful Azam & Ors. Vs. State of Bihar & others) and analogous cases, thereby inter alia observing that a Three-Member Enquiry Commission had been constituted for detailed enquiry into the matter with regard to the charges on retention of rice by PDS dealers. It is submitted that the facts and circumstances of the present case are similar and as such, learned counsel for the petitioner requests that the present writ petition may also be disposed on the same line.

4. Learned counsel for the respondents accepts that the case of the petitioner may also be covered by the said judgment passed in CWJC No. 5638 of 2011 and analogous cases and there is no objection to the request of the petitioner.

5. In the above view of the matter and with consent of the parties, this writ petition is disposed of on the same directions and in line with the judgment of this Court dated 21.09.2015 passed in CWJC No. 5638 of 2011 (*Raiful Azam & Ors. Vs. State of Bihar & others*) and analogous cases and all the observations and directions contained therein shall accordingly apply to the present case.

(Vikash Jain, J)

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